

## ***REMARKS***

Claims 1-29 are pending in the application and are presented for reconsideration. The remaining independent claims are 1, 19 and 24.

By the foregoing amendments, claims 1, 5, 10, 19, 20, 24 and 25 are sought to be amended. These changes are believed not to introduce new matter, and their entry is respectfully requested. The claims have been amended merely to clarify the claims and expedite the prosecution of the application, not to overcome any cited references.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Applicants note that on page 1 of the office action the action was identified as non-final while on page 2 the action was identified as being made final. Applicants are presuming that the action has been made final and are filing herewith a request for continued examination.

The Examiner has rejected claims 1-29 under 35 USC 102(e) as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0133412 to Oliver, et al. (hereafter referred to as "Oliver"). Based on the following Remarks, Applicants respectfully requests that the Examiner reconsider the rejection, and withdraw it.

Independent claim 1, 19 and 24 recite:

1. A computer implemented method for dynamically rendering data in a markup language, the method comprising:

identifying a symbol in the data in the markup language, the symbol indicating a query of a data set;

accessing the data set in order to generate a resolution to the query; and

dynamically rendering the resolution to the query as a part of the markup language,

according to at least one rule associated with the markup language.

19. A computer program product for dynamically rendering data in a markup language, the computer program product comprising:

program code for identifying a symbol in the data in the markup language, the symbol indicating a query of a data set;

program code accessing the data set in order to generate a resolution to the query;

program code for dynamically rendering the resolution to the query as a part of the markup language, according to at least one rule associated with the markup language; and

a computer readable medium on which the program codes are stored.

24. A computer system for dynamically rendering data in a markup language, the computer system comprising:

an identification module, for identifying a symbol in the data in the markup language, the symbol indicating a query of a data set;

a data access module, for accessing the data set in order to generate a resolution to the query, the data access module being coupled to the identification module; and

a rendering module, for dynamically rendering the resolution to the query as a part of the markup language, according to at least one rule associated with the markup language, the rendering module being coupled to the data access module.

Each of the independent claims recite that the rendering of the resolution is done dynamically. The advantages of the using the dynamic system and method recited herein include having smaller queries, smaller databases and allowing for client side modeling. Some of the shortcomings of conventional static markup language systems, such as the system described in Oliver, are (1) that data is associated with specific instances of tags such that the data cannot be reused without explicitly drafting additional markup language, (2) that it is often necessary to perform the same action many times with different data, and (3) that the need for the rendering computing device to be in contact with a server computer in order to process new data.

These shortcomings are overcome by the dynamic system and method of the claimed invention in which the query is dynamic and is more generic, is capable of being matched more generally to multiple data sets and can produce a variety of results which need to be rendered in different forms as expressed in the query. The static methods cannot achieve this. Moreover, the claimed invention for (i) identifying a symbol in the data in the markup language, the symbol indicating a query of the data set, (ii) accessing the data set in order to generate a resolution to

the query and (iii) dynamically rendering the resolution to the query as a part of the markup language, according to at least one rule associated with the markup language, are different for static and dynamic approaches. The advantages of the dynamic approach in having smaller queries, smaller databases, allowing for client side modeling as described in the patent application are absent in the static approach known in prior art. The methods, programs and systems to do the rendering for versatile dynamic queries are not obvious based upon the conventional art including Oliver.

For example, by rendering the resolution to a query as a part of the markup language, the present invention allows the same markup language to be used to describe the presentation of multiple data sets. Also, resolution and query information is embedded within the markup language such that the resolution and query information can be referenced in multiple places. These advantages allow for less modifications to existing markup language, making the development cycle far more efficient, less complicated, and more cost effective than conventional markup language development techniques.

In contrast, Oliver teaches away from the claimed invention since it teaches and suggests only a static method and not a dynamic method as recited in the claims. For example, Oliver only describes a system where the token numbers are fixed on the URL, values being filled up in the HTML forms, etc. (see paragraphs 126 and 163, for example). This is a common static system and method and have the shortcomings set forth above and in the application.

Applicants respectfully note that in a rejection under 35 U.S.C. §102, each and every claim element must be present in the applied reference. However, the Examiner has failed to point out any prior art teaching which anticipates the explicit recitation in the language of claims as mentioned above. Therefore, it is respectfully submitted that the rejection is improper and should be withdrawn based at least upon the remarks made above.

### ***Conclusion***

Applicant believes that all of the stated grounds of rejection set forth by the Examiner in the Office Action have been properly accommodated or addressed. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and withdraw them. The Examiner is invited to telephone the undersigned representative if it is felt that an interview might be useful for any reason.

Respectfully submitted  
Lawrence Hartsook *et al.*

Date: Nov. 10, 2005

By:   
Rajiv P. Patel, Attorney for Applicants  
Reg. No. 39,327  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94306  
Telephone: (650) 335-7607  
Fax: (650) 938-5200  
rpatel@fenwick.com